



## NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

### OAH USE ONLY

VOLUME:

ISSUE:

**CHECK APPROPRIATE BOX:**

- ☒ Notice with a scheduled hearing  
☐ Notice without a scheduled hearing  
☐ Republication of text. Complete the following cite for the volume, issue, and date of previous publication, as well as blocks 1 - 5 and 8 - 14. If a hearing is scheduled, complete block 6.  
Previous publication of text was published in Volume:                      Issue:

**1. Rule-Making Agency:** NC Department of Transportation

**2. Agency obtained G.S. 150B-19.1 certification:**

- ☒ OSBM certified on: 12.06.13  
☐ RRC certified on:  
☐ Not Required

**3. Agency website postings:**

- Text of proposed rule posted at: [www.ncdot.gov/about/regulations/rules/](http://www.ncdot.gov/about/regulations/rules/)
- Explanation and reason for proposed rule posted at: [www.ncdot.gov/about/regulations/rules/](http://www.ncdot.gov/about/regulations/rules/)
- Federal Certification posted at: N/A
- Instructions for oral and written comments posted at: [www.ncdot.gov/about/regulations/rules/](http://www.ncdot.gov/about/regulations/rules/)
- Fiscal Note if prepared posted at: [www.ncdot.gov/about/regulations/rules/](http://www.ncdot.gov/about/regulations/rules/)

**4. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:**

☐ **ADOPTION:**

☒ **AMENDMENT:** 19A NCAC 03B.0201 Driver's License Examination

☐ **REPEAL:**

**5. Proposed effective date:** 05.01.2014

**6. Is a public hearing planned?** ☒ Yes ☐ No

If yes: **Public Hearing date:** February 27, 2014

**Public Hearing time:** 5 p.m. – 7 p.m.

**Public Hearing Location:** Chavis Park Community Center located at 505 Martin Luther King Jr. Blvd in Raleigh.

**7. If no public hearing is scheduled, provide instructions on how to demand a public hearing:**

**8. Explain Reason For Proposed Rule(s):** NC GS 20-7 requires that applicants for a driver's license must complete certain tests to be established by the Division of Motor Vehicles. These tests are set out in 19A NCAC 02E.0201. The proposed amendments to this rule will make minor changes to the content of the required tests, and will clarify which tests are applicable to which applicants. The proposed amendments remove the written test requirement for an applicant in possession of a valid, unexpired driver's license issued by another state. Additionally, the proposed amendments extend from one year to two years the period of time an applicant's license can be expired before the applicant must take the full examination.

**Reason For Proposed Rule(s) cont.:**

**Procedure for Subjecting a Proposed Rule to Legislative Review:** If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

**9. The person to whom written comments may be submitted on the proposed rule:****Name:** Brian P. LiVecchi**Address:** 1501 Mail Service Center**Raleigh, NC 27699-1501****Phone (optional):****Fax (optional):****E-Mail (optional):****10. Comment Period Ends: 03.17.2014****11. Fiscal impact (check all that apply).**

If this form contains rules that have different fiscal impacts, list the rule citations beside the appropriate impact.

- ☒ **State funds affected**
- ☐ **Environmental permitting of DOT affected**  
Analysis submitted to Board of Transportation
- ☐ **Local funds affected**
- ☒ **Substantial economic impact ( $\geq$ \$1,000,000)**
- ☐ **No fiscal note required by G.S. 150B-21.4**

**12. Rule-making Coordinator:** Brian P. LiVecchi**Address:** 1501 Mail Service Center  
Raleigh, NC 27699-1501**Phone:** 919.707.2800**E-Mail:** bplivecchi1@ncdot.gov**Agency contact, if any:****Phone:****E-mail:****13. The Agency formally proposed the text of this rule(s) on**  
**Date: 12.15.2013****14. Signature of Agency Head\* or Rule-making Coordinator:**

\_\_\_\_\_  
\*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

**Typed Name:** Brian P. LiVecchi**Title:** Deputy General Counsel / Rule-making Coordinator